

THUMB ON THE SCALES OF JUSTICE
SHORT CASE SUMMARIES

Bray v. Marriott Hotels

- **Short description:** Marriott promoted a white employee instead of an African-American employee. The African-American employee sued Marriott, claiming racial discrimination in violation of Title VII of the Civil Rights Act of 1964.
- **Procedural setting:** The parties conducted discovery, and Marriott moved for summary judgment. The trial court held that the plaintiff had established a prima facie case of discrimination (Marriott did not appeal the ruling). However, the court also ruled that Marriott had rebutted the plaintiff's prima facie case by offering evidence of a nondiscriminatory reason for its promotion decision. Therefore, the court granted Marriott summary judgment. The plaintiff appealed.
- **Appellate ruling:** The Third Circuit majority reversed the trial court and held that the jury should decide whether Marriott violated Title VII. Judge Alito dissented and argued that the plaintiff had not presented enough evidence to go to the jury.